

Exhibit F

CAUSE NO. 15-04-77819-C

PAUL MINIX
Plaintiff

§

IN THE DISTRICT COURT

VS.

§

267th JUDICIAL DISTRICT

GM MOTORS, AND
KIA DEALERSHIP
Defendant's

§

VICTORIA COUNTY, TEXAS

§

§

PLAINTIFF'S ORIGINAL COMPLAINT

TO THE HONORABLE JUDGE OF SAID COURT:

Comes now, the Plaintiff PAUL MINIX, in the above styled and numbered cause of action and respectfully moves this court and files his civil Rights complaint against the GM MOTORS and KIA DEALERSHIP, both Automotive industries and/or Automotive Dealership sales companies. Plaintiff's complaint is brought due to his purchase of a 2009 Chevy Impala at the KIA Dealership on Rio Grande in Victoria, Texas mid 2013. At no time did KIA Salesman indicate to plaintiff or otherwise state in the contract that the vehicle Plaintiff was purchasing was defective of safety features, namely, No Safety air bags to protect Plaintiff and his family in the event of a serious auto accident. The vehicle is made of GM MOTORS but, resold through KIA Dealership. Unfortunately, as defective, thereby jeopardizing his life of which was almost lost in a serious accident in the defective vehicle.

I.

Plaintiff's complaint is filed under the Texas civil Rights Statute and/or § 1983 civil rights laws, and/or pursuant to the laws of "contracting" violations. Plaintiff files this lawsuit Pro se and does not have access to a law library to research state statutes to properly cite this complaint as he is presently confined at Dewitt County Jail where no law library is available. and under 8th Amendment violation.

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DISTRICT CLERK
VICTORIA COUNTY, TEXAS

Cathy C. Smith

2015 APR 20 AM 11:38

FILED

II.

Plaintiff reserves the right to amend and/or correct any statute or state law remedies due to him not able to research the laws for not having access once he is released from jail.

III.

PARTIES TO THE COMPLAINT

PLAINTIFF: PAUL minx, 208 E. Live oak, Cuero, Texas 77954,

DEFENDANTS: #1. Gm motors, Automotive industry, po Box 33170, Detroit, michigan. 48232-5170.

#2 KIA Dealership, Automotive sales, 714 E. Rio Grande St. Victoria, Texas 77906

IV.

CAPACITY OF DEFENDANTS

Defendant Gm motors and KIA Dealership are being sued in their individual and official capacities as responsible parties for selling and placing on the showroom floor a automobile they knew, or should have known being the vehicle was manufactured, tested, and intentionally placed on the market to sell to U.S. citizens a automobile without any driver or passenger air bags to protect the owner(s) of the 2009 chevy impala placing plaintiff and his family in potential serious risk of serious injury or death.

V.

STATEMENT OF CLAIM

on about mid 2013 (June-August), Plaintiff purchased a 2009 chevy impala, dark grey in color, with a retail price of \$9,000 dollars with \$1,000 cash as down payment, from the KIA automotive dealership off Rio Grande in Victoria, Texas. At no time during plaintiff's test drive of the vehicle or signing of the contract with the salesman was plaintiff informed the vehicle was defective.

of the (All) safety air bags. Had Plaintiff been made aware of this, he would not have purchased the vehicle, yet, defendant KIA salesmen intentionally misled, deceived, and purposely sold plaintiff a vehicle with the knowledge that he and his family were not protected in the event of a accident. Defendant KIA willingly jeopardized plaintiff's life and just wanted to get rid of the vehicle - so they pushed it off on plaintiff and his family.

On July 10, 2014, approximately (1) year after plaintiff purchased the vehicle, an auto accident occurred where plaintiff lost control of the vehicle and went through a guardrail at approx. 50 mph and over the side going down 25-30 ft. to a concrete embankment. The vehicle was totaled. (NOT one air bag deployed in this accident despite hitting the guardrail head-on).

Plaintiff sustained shoulder and knee injuries as well as permanent scars on his arm and stomach. To this present day plaintiff suffers with shoulder pain (which wakes him up every night out of his sleep). His leg is not strong as it once was and has difficulty walking long distances, as well as difficulty exercising. To the extent that plaintiff's head slammed into the steering wheel (due to no air bag), he still suffers with periodic headaches and now has short term memory loss. His memory is not as it once was.

The most serious of all from the injuries is the trauma from the accident itself. Plaintiff suffers with what doctors call (PTSD) due to the nightmares of the accident that awaken me at night, as well as the unexplained paranoia I deal with on a regular basis. Most Notable of this accident is the life and death event itself. Plaintiff was even told by the sheriff's office that I should not have lived this this accident - even more so due to the fact that no air bag deployed. Plaintiff was even told that had there been a front passenger in the vehicle they would have most likely died, or sustained permanent bodily injury.

What might have happened if plaintiff's wife or child was with him that night? The possibilities are sure. The stakes are higher thanks to KIA and Gm motors. and from what has been shown on local and national news, Gm and dealership salesmen are still selling vehicles defective of similar safety features. They don't care, it's all about making money.

VI.

PRAYER FOR RELIEF

Plaintiff respectfully seeks the following Damages for relief -

1. That defendant's be ordered to reimburse plaintiff with another Likewise vehicle equipped with all required safety features;

2. plaintiff seeks the following damages -

\$50,000.00 compensatory damages for violating my rights,

\$100,000.00 punitive damages for intentionally causing plaintiff to suffer due to their bad acts and gross disregard for my life,

\$50,000.00 due to the physical harm plaintiff was forced to deal with and the scars on his body and the emotional stress and psychological trauma due to the accident,

3. plaintiff further request that this court appoint counsel to represent him in this complex litigation where only a attorney will be able to obtain alot of the needed records in the accident and from the defendants. plaintiff's mental condition of PTSD will make pursuing this litigation difficult without proper legal representation,

4. plaintiff also proceeds as a pauper and is indigent at this time. he will also submit a application to proceed Informa pauperis.

5. Plaintiff request the court serve defendant's with citation.

WHEREFORE, plaintiff respectfully prays this court file this civil rights complaint against the defendants for selling him a vehicle defective of safety air bag resulting in plaintiff sustaining bodily injuries, emotional & psychological stress and a near death experience.

Executed on this day of
April 3, 2015

Respectfully submitted

Paul Minix

PAUL MINIX
Dewitt County Jail
208 E. Live Oak
Cuero, TX 77954